

Application No. 09/767,810

Atty Docket No. INXT 1014-1

REMARKS

In the Official Action mailed 21 May 2004, the Examiner reviewed claims 1-99. The Examiner rejected claims 1-99. The Examiner rejected claims 1-3, 9, 21-22, 40-43, 49, 61-63, 81, 82 and 88 under 35 USC § 102(e); rejected claims 4, 23, 44, 64 and 83 under 35 USC § 103(a); rejected claims 5, 45 and 65 under 35 USC § 103(a); rejected claims 6, 8, 25, 27, 46, 48, 66, 68, 85 and 87 under 35 USC § 103(a); rejected claims 7, 26, 47, 67 and 86 under 35 USC § 103(a); rejected claims 10, 50, 70 and 89 under 35 U.S.C. § 103(a); rejected claims 11, 28, 51, 71 and 90 under 35 U.S.C. § 103(a); rejected claims 12, 29, 52, 72 and 91 under 35 U.S.C. § 103(a); rejected claims 13, 30, 53, 73 and 92 under 35 U.S.C. § 103(a); rejected claims 14, 31, 54, 74 and 93 under 35 U.S.C. § 103(a); rejected claims 15, 34, 55, 75 and 94 under 35 U.S.C. § 103(a); rejected claims 16, 35, 56, 76 and 95 under 35 U.S.C. § 103(a); rejected claims 17, 36, 57, 77 and 96 under 35 U.S.C. § 103(a); rejected claims 18, 37, 58, 78 and 97 under 35 U.S.C. § 103(a); rejected claims 19, 38, 59, 79 and 98 under 35 U.S.C. § 103(a); rejected claims 20, 39, 60, 80 and 99 under 35 U.S.C. § 103(a); rejected claims 24 and 84 under 35 U.S.C. § 103(a); rejected claim 32 under 35 U.S.C. § 103(a); and rejected claim 33 under 35 U.S.C. § 103(a).

Applicants have amended claims 1, 4, 21, 40 and 81. Claims 1-99 remain pending.

Preliminarily, Applicants note that claim 69 is indicated as rejected on the cover sheet, but not in any of the rationale that follow the cover sheet. Did the Examiner plan to reject claim 69 under 35 U.S.C. § 102(e)? If so, the next Office Action will be the first assertion of a basis for rejection of that claim.

Rejection of Claims 1-3, 9, 21-22, 40-43, 49, 61-63, 81, 82 and 88 under 35 U.S.C. § 102(e)

Claims 1-3, 9, 21-22, 40-43, 49, 61-63, 81, 82 and 88 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ohmura (USP 6,138,149). Reading Ohmura in whole, especially columns 15-16, one finds that Ohmura describes a tool for manually extracting arbitrary sections from a web page and creating a so-called index sticker, which can be conveyed by e-mail and tracked as the e-mail is further distributed. The manual extraction uses a conventional cut or copy process of rubber banding the

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selected area by dragging a mouse. Col. 15, lines 26-34 & col. 16 line 66 to col. 17 line 3. Ohmura does not describe any criteria for selecting an area to extract; the point of Ohmura's tool is to support arbitrary content extraction by a user. Col. 15, lines 26-27 & 57. Ohmura does not teach using a program to identify semantic foci; it describes an entirely manual process for arbitrary content extraction. With this understanding of Ohmura, we turn to the independent claims.

Claim 61 for a system should be allowable over Ohmura without amendment, because Ohmura does not include "resources coupled with the electronic mail client in the computer which process said electronic document to identify semantic foci within the document". Instead, Ohmura connects a user to the system to select arbitrary content. The system resources do not identify semantic foci within the document. If the user's arbitrarily selected content includes semantic foci, it is not because Ohmura teaches identifying semantic foci. Again, Ohmura teaches selecting "an arbitrary area" (col. 15, lines 26 & 57), which is not as claimed. Accordingly, claim 61 and the claims that depend from it should be allowable over Ohmura.

A person of ordinary skill reading independent claims 1, 40 and 81 in light of the specification would see that the claims, without amendment, already imply processing an electronic document using a program. This is apparent in the wording of the claims, as a whole, and from an embodiment using the "Thing Finder SDK" (or similar commercially available software) and its application program interface (API) (Application, page 15) to accept and parse an electronic document, outputting identified entities. Without intending to narrow the claims from how they are properly read, Applicants have made explicit the use of a program to identify semantic foci. This feature is not found in Ohmura, as discussed above. Accordingly, the remaining independent claims 1, 40 and 81, and the claims that depend from them should be allowable over Ohmura.

Regarding claims 3, 22, 43, 63 and 83, the Examiner asserts that the electronic document in Ohmura is an electronic mail document, pointing to col. 11, line 23. This argument confuses Ohmura's output document, which is described as e-mail, with Ohmura's input electronic document, which consistently is a web page encoded with HTML. See cols. 15-16. The electronic document in claim 3 is the input document, so Ohmura's tool for working with web page input does not anticipate claims 3, 22, 43, 63

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or 83. Those claims and the claims 5, 23-24, 44-45 and 84 that depend from them should be allowable over Ohmura.

Accordingly, reconsideration of rejected claims 1-3, 9, 21-22, 40-43, 49, 61-63, 81, 82 and 88, some of the independent claims as amended, is respectfully requested.

Rejection of Claims 4, 23, 44, 64 and 83 under 35 U.S.C. § 103(a)

Claims 4, 23, 44, 64 and 83 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Fujii (USP 6,253,231), further in view of Reynolds et al. (USP 6,052,717).

The Examiner's combination of Ohmura and Fujii would improperly render Ohmura unsuitable for its intended purpose and change its principle of operation. "A proposed modification should not 'destroy a reference' by rendering the prior art invention being modified unsatisfactory for its intended purpose. *In re Gordon*, 733 F.2d 900, 902, 221 USPQ 1125, 1127 (Fed. Cir. 1984)." Barry R.A. Weinhardt, M. Reinhart, *Obviousness Under 35 U.S.C. 103 Basic Student's Manual*, p. 24 (U.S. P.T.O. Office of Patent Policy Dissemination, Rev. 4 1998); explaining, M.P.E.P. 2143.01 and 2145, paragraph (j)(4). Any modification of Ohmura to convert the image data extracted from the web page from an "index sticker" to HTML, as in Fujii, would be improper because it would render the Ohmura reference unsuitable for its intended purpose of providing a separate, trackable index sticker object that would accompany an e-mail. M.P.E.P. 2143.01 and 2145, paragraph (j)(4); see Barry et al., *Obviousness Under 35 U.S.C. 103, supra*, pp. 24-25. In addition, the modification would be improper because it would change the principle of operation emphasized by Ohmura. M.P.E.P. 2143.01; see Barry et al., *Obviousness Under 35 U.S.C. 103, supra*, pp. 25-26.

Placing the web page extract into an HTML e-mail document as in Fujii would improperly change the Ohmura's principle of operation by eliminating the separate "index sticker" object that Ohmura uses to track dissemination of information through forwarding of e-mail. This would change the basic principle of operation in Ohmura. "As a proposed modification or combination of the prior art should not destroy a reference, the proposed modification or combination should not change the principle of operation of the reference. *In re Ratti*, 270 F. 2d 810, 813, 123 USPQ 349, 352 (CCPA 1959).

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This is true even if the combination proposed is operative." Barry et al., *Obviousness Under 35 U.S.C. 103, supra*, pp. 25-26; explaining, M.P.E.P. 2143.01.

Moreover, the Examiner has not offered any evidence of motivation, other than in the teaching of this application, to combine programmatic identification of semantic foci, creating a meta-content index and converting an input electronic mail document to a markup language format for output. It is fundamental, as indicated in MPEP § 2143.01, that the Examiner rely on some evidentiary quality suggestion to produce the claimed combination:

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." *In re Kotzab*, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also *In re Lee*, 277 F.3d 1338, 1342-44, 61 USPQ2d 1430, 1433-34 (Fed. Cir. 2002) (discussing the importance of relying on objective evidence and making specific factual findings with respect to the motivation to combine references); *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

This section of the MPEP cites the no-longer recent case *In re Lee*, in which the Federal Circuit clarified the need for evidentiary quality support of an Examiner's factual basis for finding a teaching, suggestion or motivation in the prior art (as opposed to the Examiner's opinion), 277 F.3d at 1343-44:

As applied to the determination of patentability *vel non* when the issue is obviousness, "it is fundamental that rejections under 35 U.S.C. § 103 must be based on evidence comprehended by the language of that section." *In re Grasselli*, 713 F.2d 731, 739, 218 U.S.P.Q. (BNA) 769, 775 (Fed. Cir. 1983). ... "The factual inquiry whether to combine references must be thorough and searching." *Id.* It must be based on objective evidence of record. This precedent has been reinforced in myriad decisions, and cannot be dispensed with. [citation omitted] The need for specificity pervades this authority. See, e.g., *In re Kotzab*, 217 F.3d 1365, 1371, 55 U.S.P.Q.2D (BNA) 1313, 1317 (Fed. Cir. 2000) ("particular findings must be made as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed"); *In re Rouffet*, 149 F.3d 1350, 1359, 47 U.S.P.Q.2D (BNA) 1453, 1459 (Fed. Cir. 1998) ("even when the level of skill in the art is high, the Board must identify

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specifically the principle, known to one of ordinary skill, that suggests the claimed combination. In other words, the Board must explain the reasons one of ordinary skill in the art would have been motivated to select the references and to combine them to render the claimed invention obvious."); *In re Fritch*, 972 F.2d 1260, 1265, 23U.S.P.Q.2D (BNA) 1780, 1783 (Fed. Cir. 1992) (the examiner can satisfy the burden of showing obviousness of the combination "only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references"). ... In its decision on Lee's patent application, the Board rejected the need for "any specific hint or suggestion in a particular reference" to support the combination of the Nortrup and Thunderchopper references. Omission of a relevant factor required by precedent is both legal error and arbitrary agency action.

Under *In re Lee*, it is not enough for the Examiner to announce the apparent advantage of the claimed invention and rely on his own announcement derived from the application, in the absence of some evidentiary quality teaching or suggestion, as motivation to combine two references. No evidentiary quality support for combining references is found in this rejection.

For the several reasons set out above, reconsideration of rejected claims 4, 23, 44, 64 and 83, and claim 24 that depends from claim 23, is respectfully requested.

Rejection of Claims 5, 45 and 65 under 35 U.S.C. § 103(a)

Claims 5, 45 and 65 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Hong et al. (USP 5,710,883).

The Examiner's proposed combination seems to confuse the input and output documents again. The electronic document in claim 5 is the input document. Ohmura is limited by its intended purpose and its principle of operation to extraction of arbitrary sections of a web page. Ohmura's input document is a web page, not an e-mail message, much less an e-mail in a standard MIME format. As above, the proposed combination would improperly destroy the reference, without any evidentiary quality support for combining the references. Moreover, combining the references would impact the output from Ohmura, not the input to Ohmura.

Accordingly, reconsideration of rejected claims 5, 45 and 65 is respectfully requested.

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Rejection of Claims 6, 8, 25, 27, 46, 48, 66, 68, 85 and 87 under 35 U.S.C. § 103(a)

Claims 6, 8, 25, 27, 46, 48, 66, 68, 85 and 87 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Sheffield (USP 5,566,330).

Aside from issues of whether the references could be combined under the strictures of the MPEP, Applicants have reviewed Sheffield, especially column 17, and do not find any so-called "temporal proximity" coding. That is, Sheffield does not meet the limitations of claims 6, 25, 46, 66, and 85:

"... wherein said semantic foci includes at least one date within the body, and including:

identifying a document date within the header; and

associating a presentation attribute to said at least one date in said meta-content index, the presentation attribute based upon a temporal relationship between the document date and the at least one date."

Nor does Sheffield meet the additional limitation of claims 8, 27, 58, 68 and 87, that the temporal proximity be color-coded. Therefore, claims 6, 8, 25, 27, 46, 48, 66, 68, 85 and 87, and claims 7, 26, 47, 67 and 86 that depend from them, should be allowable over the combination.

As a separate ground for reconsideration, combining the references would destroy the Ohmura reference. The formatting described in column 17 of Sheffield is applied to field formatted data. Converting Ohmura's arbitrarily extracted data to database-like, formatted fields would render Ohmura unfit for its intended purpose and radically change its principle of operation. Reconsideration is again requested.

Rejection of Claims 7, 26, 47, 67 and 86 under 35 U.S.C. § 103(a)

Claims 7, 26, 47, 67 and 86 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Sheffield, further in view of Doerre et al. (USP 6,446,061). As discussed above, Applicants do not understand how the Examiner proposes to combine Ohmura and Sheffield. Doerre is not readily combined with Ohmura, either, because Ohmura treats the extracted web page section as image data and Doerre requires text from which to extract dates and convert them to canonical form. In col. 6, lines 3-4, Ohmura describes an index sticker as "index information consisting of image data and address information". The image data is the material

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extracted by manual rubber banding (col. 15, lines 26-34) and the address information is a URI (similar to a URL). *Id.* There is no teaching in Ohmura to extract dates, either from a header or from the body of document. There is no teaching in any of the three references of determining temporal proximity of dates in the body of a document and a date in the document header.

The Examiner has not described how the three references would be workably or sensibly combined.

The Examiner has not provided evidentiary quality support to motivate combining the references, however that combination is envisioned.

Accordingly, reconsideration of rejected claims 7, 26, 47, 67 and 86 as amended is respectfully requested.

Rejection of Claims 11, 28, 51, 71 and 90 under 35 U.S.C. § 103(a)

(We have advanced this section, ahead of where it appeared in the Office Action, so both rejections based on Ohmura and Doerre are together.)

Claims 11, 28, 51, 71 and 90 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Doerre. Claim 11 is a canonical currency version of the canonical date claim 7. The problems of the proposed combination of Ohmura and Doerre remain. Doerre is not readily combined with Ohmura, either, because Ohmura treats the extracted web page section as image data (col. 6, lines 3-4 (image data); col. 15, lines 26-34 (extraction of image data)) and Doerre requires text from which to extract dates and convert them to canonical form.

The Examiner has not described how these references would be workably or sensibly combined.

The Examiner has not provided evidentiary quality support to motivate combining the references, however that combination is envisioned.

Accordingly, reconsideration of rejected claims 11, 28, 51, 71 and 90 as amended is respectfully requested.

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Rejection of Claims 10, 50, 70 and 89 under 35 U.S.C. § 103(a)

Claims 10, 50, 70 and 89 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Smith et al (USP 5,204,960). It is important to have in mind the limitations being addressed. For instance:

9. The method of claim 1, wherein said semantic foci includes a plurality of types of information, the plurality of types including one or more of email addresses, URLs, dates, currency values, organization names, names of people, names of places, names of products, names of drugs, names of sports teams, names of diseases, and phone numbers.

10. The method of claim 9, wherein said meta-content index comprises entries sorted by the plurality of types.

Applicants have reviewed Ohmura and does not find a sortable list of entries of differing types. Ohmura has an unusual usage of the term "index sticker". An index sticker does not include a list of entries typically found in an index. In col. 6, lines 3-4, Ohmura describes an index sticker as "index information consisting of image data and address information". The image data is the material extracted by manual rubber banding (col. 15, lines 26-34) and the address information is a URI (similar to a URL). *Id.* As there is not a sortable list in Ohmura, it makes no sense to try to apply art that would perform a sort.

Regarding the proposed combination, Applicants request an explanation as to why the Examiner considers Ohmura and Smith to be in related art fields. Web tools and compiler design often are worlds apart.

As Applicants cannot find a sortable list in Ohmura, it is difficult to understand where the Examiner would find evidentiary quality support for combining the references, even if they were in related art fields.

Accordingly, reconsideration of rejected claims 10, 50, 70 and 89 as amended is respectfully requested.

Rejection of Claims 12, 29, 52, 72 and 91 under 35 U.S.C. § 103(a)

Claims 12, 29, 52, 72 and 91 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Logan et al. (USP 5,732,216). The limitation involved is "annotating said semantic foci within said body". As described above, Ohmura does not include semantic foci, it provides a tool for arbitrary extraction. There is not motivation to add any annotation facility to Ohmura, as Ohmura's index

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stickers are intended to be dropped into an e-mail message. We can see no reason that one would be motivated to separately and redundantly annotate the index stickers.

Accordingly, reconsideration of rejected claims 12, 29, 52, 72 and 91 as amended is respectfully requested.

Rejection of Claims 13, 30, 53, 73 and 92 under 35 U.S.C. § 103(a)

Claims 13, 30, 53, 73 and 92 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Yue (USP 6,457,143). As described above, Ohmura does not include a list of different types of entries. (Nor does it include semantic foci.) An index sticker consists of image data and a URI. It makes no sense to color code the image data and URI by semantic foci type, as claimed. Moreover, Yue color codes by trouble intensity during a time period, not by semantic foci type. There is no concept in Ohmura or Yue of extracting semantic foci, so the combination cannot supply the missing element.

Accordingly, reconsideration of rejected claims 13, 30, 53, 73 and 92 as amended is respectfully requested.

Rejection of Claims 14, 31, 54, 74 and 93 under 35 U.S.C. § 103(a)

Claims 14, 31, 54, 74 and 93 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Dooley (USP 5, 893,916). The limitation addressed is "associating hyperlinks with said semantic foci, and incorporating said hyperlinks into one of said meta-content index and said body". The Examiner's comments are not clear on what objects in Ohmura the Examiner would consider the meta-content index and body, supposing that Ohmura addressed semantic foci, which it doesn't. Suppose the meta-content index is Ohmura's index sticker and the body is the web page from which the index sticker was extracted. Applicants cannot see how Dooley would teach applying a hyperlink to the index sticker or original web page, or to what effect. Clarification of how the proposed combination would work is requested. Applicants do see how a combination would meet the claimed limitation.

The Examiner has not provided evidentiary quality support to motivate combining the references, however that combination is envisioned.

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Accordingly, reconsideration of rejected claims 14, 31, 54, 74 and 93 as amended is respectfully requested.

Rejection of Claims 15, 34, 55, 75 and 94 under 35 U.S.C. § 103(a)

Claims 15, 34, 55, 75 and 94 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Irons (USP 6,192,165). These claims should be patentable for at least the same reasons as the independent claims from which they depend.

Rejection of Claims 16, 35, 56, 76 and 95 under 35 U.S.C. § 103(a)

Claims 16, 35, 56, 76 and 95 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Horvitz et al. (USP 6,161,130). The Examiner's proposed combination of Ohmura with Horvitz et al. ignores the intended purpose of Ohmura and confuses the claimed invention with a spam checker. Again, Ohmura analyzes web pages. It is difficult to understand how checking an e-mail attachment for spam content could be combined with arbitrary extraction of web page content. Ohmura's input documents are so different from Horvitz et al.'s teachings that the concept of attachments does not apply. Applicants cannot see how Horvitz et al. would teach analyzing attachments to a web page (which has none), or to what effect. Clarification of how the proposed combination would work is requested. Applicants do see how a combination would meet the claimed limitation.

The Examiner has not provided evidentiary quality support to motivate combining the references, however that combination is envisioned.

Accordingly, reconsideration of rejected claims 16, 35, 56, 76 and 95 as amended is respectfully requested.

Rejection of Claims 17, 36, 57, 77 and 96 under 35 U.S.C. § 103(a)

Claims 17, 36, 57, 77 and 96 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Kesel (USP 6,026,387). Applicants do not understand how the Examiner proposes to combine Ohmura and Kesel. Kesel is not readily combined with Ohmura, because Ohmura treats the extracted web page section as image data and Kesel requires text from which to extract text patterns and associate

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them with predefined category labels. In col. 6, lines 3-4, Ohmura describes an index sticker as "index information consisting of image data and address information". The image data is the material extracted by manual rubber banding (col. 15, lines 26-34) and the address information is a URI (similar to a URL). *Id.* There is no teaching in Ohmura to extract text, either from a header or from the body of the document.

As described above, Ohmura does not include semantic foci; it provides a tool for arbitrary extraction. There is not motivation to add any summarization facility to Ohmura, as Ohmura's index stickers are intended to be dropped into an e-mail message. We can see no reason that one would be motivated to separately and redundantly summarize the index stickers.

The Examiner has not described how these references would be workably or sensibly combined.

The Examiner has not provided evidentiary quality support to motivate combining the references, however that combination is envisioned.

Accordingly, reconsideration of rejected claims 17, 36, 57, 77 and 96 as amended is respectfully requested.

Rejection of Claims 18, 37, 58, 78 and 97 under 35 U.S.C. § 103(a)

Claims 18, 37, 58, 78 and 97 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Nelson (USP 6,032,132). The Examiner's proposed combination of Ohmura with Nelson ignores the intended purpose of Ohmura and confuses the claimed invention with a billing system. Again, Ohmura analyzes web pages. It is difficult to understand how generating summary telecom billing information (in Nelson, col. 11, lines 15-65) could be combined with arbitrary extraction of web page content. Ohmura's input documents are so different from Nelson's teachings that the concept of attachments does not apply. Applicant cannot see how Nelson would teach summarizing attachments to a web page (which has none), or to what effect. Clarification of how the proposed combination would work is requested. Applicant does see how a combination would meet the claimed limitation.

The Examiner has not provided evidentiary quality support to motivate combining the references, however that combination is envisioned.

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Accordingly, reconsideration of rejected claims 18, 37, 58, 78 and 97 as amended is respectfully requested.

Rejection of Claims 19, 38, 59, 79 and 98 under 35 U.S.C. § 103(a)

Claims 19, 38, 59, 79 and 98 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Kupiec (USP 6,533,822). The passage on which the Examiner relies, col. 4, lines 5-20, reads:

One example of an input file that could benefit from special processing is a document that includes several e-mail messages that each have a subject field, the control routine recognizes that such a document requires or can benefit from special processing. Alternatively, a user can identify the input document as requiring special processing to the control routine with a user interface (not shown). In this example, the processing would take advantage of the knowledge that there are predefined "subject" fields and will generate a summary from these "subject" fields and thereby obviate the necessity of performing a text summarization process on the document. The summary would include the text from each "subject" field along with indicators that indicate the position in the output file where each portion of the Summary may be found.

As Applicants read this passage, Kupiec scans (or accepts user direction) to locate "subject" fields and uses the contents of the subject fields, in lieu of summarizing the document. The subject field described in this passage appears to be in the body, not the header of the document. Nothing in Ohmura or Kupiec meets the limitation, "wherein said header includes text suggesting a key subject, and including generating a summary of said electronic document based upon the key subject, and including the summary in the enhanced document."

Applicants do not understand how the Examiner proposes to combine Ohmura and Kupiec. Kupiec is not readily combined with Ohmura, because Ohmura treats the extracted web page section as image data and Kupiec requires text from which to extract subject fields and use the subject fields to prepare a summary. In col. 6, lines 3-4, Ohmura describes an index sticker as "index information consisting of image data and address information". The image data is the material extracted by manual rubber banding (col. 15, lines 26-34) and the address information is a URI (similar to a URL). *Id.* There is no teaching in Ohmura to extract text, either from a header or from the body of the document, which could be used as input to Kupiec.

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As described above, Ohmura does not include semantic foci; it provides a tool for arbitrary extraction. There is no motivation to add any key subject based summarization facility to Ohmura, as Ohmura's index stickers are intended to be dropped into an e-mail message. We can see no reason that one would be motivated to separately and redundantly summarize the index stickers.

The Examiner has not described how these references would be workably or sensibly combined.

The Examiner has not provided evidentiary quality support to motivate combining the references, however that combination is envisioned.

Accordingly, reconsideration of rejected claims 19, 38, 59, 79 and 98 as amended is respectfully requested.

Rejection of Claims 20, 39, 60, 80 and 99 under 35 U.S.C. § 103(a)

Claims 20, 39, 60, 80 and 99 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Sotomayor (USP 5,708,825). Applicants do not understand how the Examiner proposes to combine Ohmura and Sotomayor. Sotomayor is not readily combined with Ohmura, because Ohmura treats the extracted web page section as image data and Sotomayor requires text from which to prepare a summary. In col. 6, lines 3-4, Ohmura describes an index sticker as "index information consisting of image data and address information". The image data is the material extracted by manual rubber banding (col. 15, lines 26-34) and the address information is a URI (similar to a URL). *Id.* There is no teaching in Ohmura to extract text, either from a header or from the body of the document, which could be used as input to Sotomayor.

As described above, Ohmura does not include semantic foci; it provides a tool for arbitrary extraction. There is not motivation to add any summarization facility to Ohmura, as Ohmura's index stickers are intended to be dropped into an e-mail message. We can see no reason that one would be motivated to separately and redundantly summarize the index stickers.

The Examiner has not described how the references would be workably or sensibly combined.

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The Examiner has not provided evidentiary quality support to motivate combining the references, however that combination is envisioned.

Accordingly, reconsideration of rejected claims 20, 39, 60, 80 and 99 as amended is respectfully requested.

Rejection of Claims 24 and 84 under 35 U.S.C. § 103(a)

Claims 24 and 84 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Fujii, further in view of Reynolds, further in view of Hong. The Examiner's rejection of these claims incorporates by reference rejections of claims 4/23 and 5/24. The corresponding responses are incorporated by reference herein, as if set forth fully herein.

Accordingly, reconsideration of rejected claims 24 and 84 as amended is respectfully requested.

Rejection of Claim 32 under 35 U.S.C. § 103(a)

Claim 32 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Welti et al. (USP 5,696,539). As Applicants read Welti, as a whole and with particular attention to col. 6, Welti provides a color management system for display of the same image on multiple displays that have different color processing capabilities. Accordingly, Welti's "present invention [] translate[s] the pixel into a matching color within the visual type of the receiver." Col. 6, lines 17-19. This has nothing to do with semantic foci types, which are referred to in the claim.

As described above, Ohmura does not include a plurality of codable types of semantic foci. (Nor does it include semantic foci.) An index sticker consists of image data and a URI. It makes no sense to color code the image data and URI by semantic foci type, as claimed. Moreover, Welti adapts preselected colors to varying color pallets of different types of displays, not by semantic foci type. There is no concept in Ohmura or Welti of extracting semantic foci, so the combination cannot supply the missing element.

The Examiner has not described how the references would be workably or sensibly combined.

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The Examiner has not provided evidentiary quality support to motivate combining the references, however that combination is envisioned.

Accordingly, reconsideration of rejected claim 32 as amended is respectfully requested.

Rejection of Claim 33 under 35 U.S.C. § 103(a)

Claim 33 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmura, further in view of Eick (USP 5,644,692). As Applicants read Eick's summary, the starting point is a display that represents a large domain of objects, such as lines of software code or TV programs. There are so many objects displayed that no particular object is discernable. Eick displays search results in this display with attribute coding, such as blinks or colors, which allow a user to visualize and zero in on selected entities, such as "only those lines of code which were written by Smith in February, 1993." Col. 2, lines 45-46. Eick processes a search against a large domain that is graphically summarized and provides a useful overview and drill-down enabled display.

The only two entities in Ohmura are part of an index sticker are the image data and the URI. It is not reasonable for anyone to try and adapt Eick's display technology to Ohmura's index sticker; nor is either the image data or URI meaningfully subject to the type of search described in Eick.

There is no concept in Ohmura or Eick of extracting semantic foci or attribute coding according to semantic foci type, so the combination cannot supply the missing elements.

The Examiner has not described how the references would be workably or sensibly combined.

The Examiner has not provided evidentiary quality support to motivate combining the references, however that combination is envisioned.

Accordingly, reconsideration of rejected claim 33 as amended is respectfully requested.

CONCLUSION

Applicants respectfully submit that the pending claims are now in condition for allowance and thereby solicit acceptance of the claims, in light of these amendments.

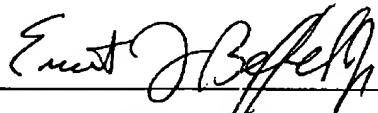
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Respectfully submitted,

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